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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Sherif Yacoub

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Intellectual Property Administration

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EXAMINER

PHAN, JOSEPH T

ART UNIT

PAPER NUMBER

2614

NOTIFICATION DATE

DELIVERY MODE

03/12/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/699,264	Applicant(s) YACOUB, SHERIF	
	Examiner JOSEPH T. PHAN	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-17, 19 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-9, 18-20 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 10-16, 19, and 21 have been considered and are persuasive, allowable subject has been indicated.

Allowable Subject Matter

2. Claims 11-17, 19, and 21 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record, does not disclose, among other features: *determining whether the contact dialog segment includes a request for modification/help of the current dialog segment, generating a set of dialog metrics including the first dialog metric from the contact dialog segment, comparing the set of dialog metrics against a set of dialog metric thresholds, replacing the current call center dialog property with a new call center dialog property in accordance with the request based on the determination; replacing the current call center dialog property with a second new call center dialog property if no dialog property keyword is identified and the generated dialog metrics vary from the first set of thresholds by a predetermined amount.*

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 18-20, and 22 rejected under 35 U.S.C. 102(e) as being anticipated by Comerford et al., Patent #6,748,361.

Regarding claims 1 and 20, Comerford teaches a method and means(Fig.1) for call center dialog management, comprising: means for presenting a contact with a first call center dialog segment having a current call center dialog property(col.18 line 66-col.19 line 5); receiving from the contact a contact dialog segment(col.19 lines 10-14); identifying a dialog property keyword within the contact dialog segment(col.19 lines 10-14; ‘slower’), the dialog property keyword including a request for a modification of the current call center property, replacing the current call center dialog property with a new call center dialog in accordance with the request(col.19 lines 10-14; consistent with applicant’s specification page 8 lines 3-10); and presenting a second call center dialog segment having the new call center dialog property to the contact(col.19 lines 10-14; consistent with applicant’s specification page 8 lines 3-10).

Regarding claim 2, Comerford teaches the method of claim 1, wherein the dialog property keyword indicates a dialog speed and wherein replacing includes replacing a first dialog speed with a second dialog speed(col.19 lines 10-14).

Regarding claim 3, Comerford teaches a method of claim 1: wherein the dialog property keyword indicates a dialog language(col.6 lines 29-38); and wherein replacing includes replacing a first dialog language with a second dialog language(col.19 lines 10-14; second dialog language is slower and therefore a clearer language).

Regarding claim 4, Comerford teaches a method of claim 1:

wherein the dialog property keyword indicates a contact expertise level(16010 Fig.16); and
wherein replacing includes replacing a first contact expertise level with a second contact expertise level(16018 Fig.16).

Regarding claim 5, Comerford teaches the method of claim 1, wherein the dialog property keyword indicates a contact help level(col.18 lines 13-23 and col.19 lines 10-14); and wherein replacing includes replacing a first contact help level with a second contact help level(col.18 lines 13-23 and col.19 lines 10-14).

Regarding claim 6, Comerford teaches the method of claim 1, wherein replacing includes replacing a first pre-recorded call center dialog segment having the current call center dialog property with a second pre-recorded dialog segment having the new center dialog property(col.19 lines 10-14).

Regarding claim 7, Comerford teaches the method of claim 1:
wherein replacing includes adjusting a text-to-speech synthesizer from generating center dialog segments having the current call center dialog property toward generating center dialog segments having the new call center dialog property(col.18 line 23-col.19 line 14).

Regarding claim 8, Comerford teaches the method of claim 1:
wherein replacing includes adjusting a Voice-XML prosody tag from generating center dialog segments having the current call center dialog property toward generating center dialog segments having the new call center dialog property(col.12 lines 10-25).

Regarding claim 9, Comerford teaches the method of claim 1;
wherein replacing includes adjusting a digital signal processor time-scale modification(col.18 lines 13-23 and col.19 lines 10-14).

Regarding claim 18, Comerford teaches the computer-usable medium embodying computer program code(Fig.1) for commanding a computer to effect call center dialog management, comprising: presenting a contact with a first call center dialog segment having a current call center dialog property(col.18 line 66-col.19 line 5); receiving from the contact a contact dialog segment(col.19 lines 9-14); identifying a dialog property keyword within the contact dialog segment(col.19 lines 9-14; “slower” consistent with applicant’s specification page 8 lines 3-10); replacing the current call center dialog property with a new call center dialog property in response to the dialog property keyword(col.19 lines 9-14; new dialog property is slower output and consistent with applicant’s specification page 8 lines 3-10); and presenting a second call center dialog segment having the new call center dialog property to the contact(col.19 lines 9-14; consistent with applicant’s specification page 8 lines 3-10).

Regarding claim 22, Comerford teaches a system for call center dialog management, comprising: an interactive voice response module for presenting a contact with a first call center dialog segment having a current call center dialog property and receiving from the contact a contact dialog segment(col.18 lines 24-33, line 66-col.19 line 5, and col.19 lines 9-14); a dialog analysis module for identifying a dialog property keyword within the contact dialog segment, the dialog property keyword including a request for a modification of the current call center dialog property(col.19 lines 9-14; ‘slower’); a dialog property controller for replacing the current call center dialog property with a new call center dialog property in accordance with the request(col.19 lines 9-14); and

wherein the interactive voice response module then presents a second call center dialog segment having the new call center dialog property to the contact(col.19 lines 9-14; consistent with applicant's specification page 8 lines 3-10).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH T. PHAN whose telephone number is (571)272-7544. The examiner can normally be reached on Mon-Fri 9am-6:30pm EST, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph T Phan/
Primary Examiner, Art Unit 2614